

House Bill 648 (AS PASSED HOUSE AND SENATE)

By: Representatives Knox of the 24<sup>th</sup>, Meadows of the 5<sup>th</sup>, Maxwell of the 17<sup>th</sup>, and Rogers of the 26<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 33-42-4 of the Official Code of Georgia Annotated, relating to  
2 definitions for long-term care insurance, so as to provide for changes to certain definitions;  
3 to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Code Section 33-42-4 of the Official Code of Georgia Annotated, relating to definitions for  
7 long-term care insurance, is amended by revising paragraphs (5) and (6) as follows:

8 "(5) 'Long-term care insurance' means any accident and sickness insurance policy or rider  
9 advertised, marketed, offered, or designed primarily to provide coverage for not less than  
10 ~~24~~ 12 consecutive benefit months or which provides coverage for recurring confinements  
11 separated by a period not to exceed six months with a minimum aggregate period of ~~two~~  
12 ~~years~~ one year for each covered person on an expense incurred, indemnity, prepaid, or  
13 other basis, for one or more necessary or medically necessary diagnostic, preventive,  
14 therapeutic, rehabilitative, maintenance, or personal care services, provided in a setting  
15 other than an acute care unit of a hospital. Such term includes group and individual  
16 accident and sickness policies or riders whether issued by insurers, fraternal benefit  
17 societies, nonprofit hospital service corporations, nonprofit medical service corporations,  
18 health care plans, health maintenance organizations, or any other similar organizations.  
19 Long-term care insurance shall not include any accident and sickness insurance policy  
20 which is offered primarily to provide basic medicare supplement coverage, basic hospital  
21 expense coverage, basic medical-surgical expense coverage, hospital confinement  
22 indemnity coverage, major medical expense coverage, disability income protection  
23 coverage, catastrophic coverage, comprehensive coverage, accident only coverage,  
24 specified disease or specified accident coverage, or limited benefit health coverage.  
25 Long-term care insurance may be provided through an individual or group life insurance  
26 policy by attachment of a long-term care rider or by the automatic inclusion of a

1 long-term care provision which, notwithstanding Code Section 33-42-3, must meet the  
2 requirements of this chapter and regulations promulgated by the Commissioner. Any such  
3 long-term care riders or policy provisions shall not be exempt from filing requirements  
4 and must be filed with the department for approval before being used in this state.

5 (6) 'Policy' means any policy, contract, or subscriber agreement or any rider or  
6 endorsement attached thereto, issued, delivered, issued for delivery, or renewed in this  
7 state by an insurer, fraternal benefit society, nonprofit hospital service corporation,  
8 nonprofit medical service corporation, health care plan, health maintenance organization,  
9 or any other similar organization. Such term shall also include a Georgia Qualified  
10 Long-term Care Partnership Program approved policy, as defined in paragraph (4) of  
11 Code Section 49-4-161, meeting the requirements of the Georgia Qualified Long-term  
12 Care Partnership Program as enacted in subsection (a) of Code Section 49-4-162."

13 **SECTION 2.**

14 All laws and parts of laws in conflict with this Act are repealed.